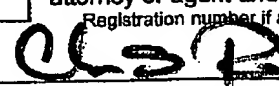


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|---|------------|--------------------------------------|
| PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a) FY 2009 (Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).) | | Docket Number (Optional) RCI001v1 |
| Application Number 09/287,478 | | Filed 4/6/1999 |
| For Reply to Notification of Non-Compliant Appeal Brief (37 CFR 41.37) | | |
| Art Unit 2128 | | Examiner Thai Phan |
| This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above identified application. The requested extension and fee are as follows (check time period desired and enter the appropriate fee below): | | |
| | <u>Fee</u> | <u>Small Entity Fee</u> |
| <input checked="" type="checkbox"/> One month (37 CFR 1.17(a)(1)) | \$130 | \$65 \$ <u>65</u> |
| <input type="checkbox"/> Two months (37 CFR 1.17(a)(2)) | \$490 | \$245 \$ <u> </u> |
| <input type="checkbox"/> Three months (37 CFR 1.17(a)(3)) | \$1110 | \$555 \$ <u> </u> |
| <input type="checkbox"/> Four months (37 CFR 1.17(a)(4)) | \$1730 | \$865 \$ <u> </u> |
| <input type="checkbox"/> Five months (37 CFR 1.17(a)(5)) | \$2350 | \$1175 \$ <u> </u> |
| <input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. | | |
| <input type="checkbox"/> A check in the amount of the fee is enclosed. | | |
| <input checked="" type="checkbox"/> Payment by credit card. Form PTO-2038 is attached. | | |
| <input type="checkbox"/> The Director has already been authorized to charge fees in this application to a Deposit Account. | | |
| <input type="checkbox"/> The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number <u> </u> . | | |
| WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038. | | |
| I am the <input checked="" type="checkbox"/> applicant/inventor. | | |
| <input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed (Form PTO/SB/96). | | |
| <input type="checkbox"/> attorney or agent of record. Registration Number <u> </u> | | |
| <input type="checkbox"/> attorney or agent under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34 <u> </u> | | |
|  Signature | | 6/26/2009 Date |
| Christian S. Rode Typed or printed name | | 781-899-4322 Telephone Number |
| NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below. | | |
| <input checked="" type="checkbox"/> Total of <u>1</u> forms are submitted. | | |

This collection of information is required by 37 CFR 1.136(a). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 6 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

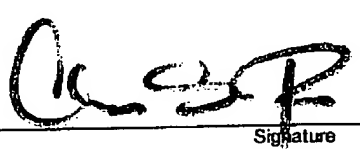
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| | | |
|---|--|--------------------------------------|
| PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(b) | | Docket Number (Optional) RCI001v1 |
| In re Application of Christian S. Rode | | |
| Application Number 09/287,478 | | Filed 4/6/1999 |
| For Reply to Notification of Non-Compliant Appeal Brief (37 CFR 41.37) | | |
| Art Unit 2128 | | Examiner Thai Phan |
| <p>This is a request for an extension of time of <u>1 month</u> (days), (weeks), (months) under 37 CFR 1.136(b) in this pending application. An extension of time is not available in this application under the provisions of 37 CFR 1.136(a); however, additional time to respond may still be granted under the patent statute. The petition fee under 37 CFR 1.17(g) is required. The reasons for requesting the extension of time are the following:</p> <p>The Examiner has indicated that with respect to argument Ground 5, pg. 12, the brief arguments were unclear. I would like to have his feedback regarding the clarity of revised arguments before submitting an amended brief so as to avoid unsuccessful response and consequent dismissal.</p> <p>Also, I am PRO-SE and have questions regarding the limit of explanatory comments in a concise summary of grounds for appeal which must be resolved with outside counsel.</p> <p>This petition is being filed in parallel with a petition under 37 CFR 1.136(a), as I am not 100% certain if any limits with respect to a reply will be exceed if the final formal reply extends beyond one month.</p> | | |
|  Signature | | 6/26/2009 Date |
| Christian S. Rode Typed or printed name | | Registration Number |
| Applicant | | 781-899-4322 Telephone Number |
| Title | | |

This collection of information is required by 37 CFR 1.138. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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